

SERVICE AND PROCESSING OF CLAIMS

Plaintiff or Claimant: Andres Vallejo

Date: 3/4/19

In-person

Process Server

Claimant

Other _____

By mail

By email

By fax

Received by: Jenny Slivka

- Hand deliver to: Ann Marie or Janel
- Forwarded to Attorney's Office by Ann Marie or Janel
- Response from Attorney's Office
- Common Council Agenda: Yes No

RECEIVED
MAR 04 2019
CITY OF WEST ALLIS
CITY CLERK

CLAIM FORM AND INFORMATION

Important Information: For the City of West Allis to consider your claim, you must follow the Wisconsin statutory procedure for filing a claim. Completing this form does not guarantee compliance with statutory procedure. City employees, including the City Attorney's Office, cannot give you legal advice or instructions on the statutory procedure. Any questions regarding claims should be directed to the City Attorney's Office at 414-302-8450.

NOTICE OF CLAIM

Name: Andres Vallejo Incident/Accident Information
Address: 2941 S 14th Street Date: 11/2/17
Milwaukee WI 53215 Time:
Phone: 414 544-2079 Place:

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary). Some helpful information may be the police report, pictures of the incident or damage, a diagram of the location, a list of injuries, a list of property damage, names and contact information for witnesses to the incident, and any other information relevant to the circumstances.

Black/silver Ruger SR9c 9mm x19
Ree Petition of Return of Property
Case number - 18-007841
Inventory number - 2018001326-1
Police Report - 17-316-0152

Signed: [Signature] Date: 3/4/18

CLAIM

NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Claim you may file a claim with the City of West Allis at any time consistent with the applicable statute of limitations. However, no action will be taken by the City of West Allis to formally accept or deny your claim until the following information is provided:

The undersigned hereby makes a claim against the City of West Allis of arising out of the circumstances described above. The amount sought is: \$ 400.00 (Please attach an itemized statement of damages sought including at least 2 estimates for repairs.)

Signed: [Signature] Date: 3/4/18
Address: 2941 S 14th Street

PETITION FOR RETURN OF PROPERTY

Pursuant to §968.20, Wisconsin Statutes, I hereby petition the Circuit Court of Milwaukee County to direct the agency or entity listed below to return the property which was taken and is being held by that agency or entity.

Case Number: 18-007841
(If Not Prosecuted, Write "No Process")

Agency/Entity Holding Property:

West Allis Police Department

Inventory Number: 2018001326-1

Name of Petitioner: Andres Vallejo

Phone: (414) 544-2079

Address: 2941 S 14th St

City/State/Zip: Milwaukee WI 53215

Date of Birth: [REDACTED]

Date Property Taken: 11/12/17

Description of Property: Black/silver Ruger SR9c 9mm x 19
semi-automatic handgun [REDACTED]

Why was Property Taken? stolen

Signature of Petitioner or Attorney: [Signature]

If Attorney, Print Name, Address & Phone: _____

IF THE PROPERTY IS A FIREARM, THE FOLLOWING MUST BE FILLED OUT:

NOTICE: §941.29, Wisconsin Statutes, and 18 USC §922 of the Federal Code prohibit certain persons from possessing or attempting to possess firearms. Before a firearm is returned to you, you must be able to truthfully answer the following questions: **CIRCLE THE ANSWERS**

1. I AM the lawful owner of the firearm and can provide proof of ownership. YES or NO
2. I am NOT a convicted felon. TRUE or FALSE
3. I have NEVER been convicted of a crime of domestic violence. TRUE or FALSE
4. I am NOT an unlawful user of controlled substances. TRUE or FALSE
5. I was NOT adjudicated guilty of a juvenile offense that would be a felony if committed by an adult. TRUE or FALSE
6. I do NOT have a civil injunction that prohibits me from having a firearm. TRUE or FALSE
7. I am NOT subject to a court order under Wisconsin Mental Health Act and have NOT been found guilty of a crime by reason of mental disease or defect. TRUE or FALSE
8. I did NOT transfer the firearm to a prohibited person or allow the firearm to be used for any unlawful purpose. TRUE or FALSE

Signature of Petitioner: [Signature]

Date: 3/4/18

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Second block of faint, illegible text in the middle of the page.

Third block of faint, illegible text, appearing as a list or series of points.

Small, faint text block, possibly a signature or a specific note.

Final block of faint, illegible text at the bottom of the page.

INSTRUCTIONS FOR FILING A PETITION FOR RETURN OF PROPERTY

1. Fill out Petition for Return of Property.
 - A. You must provide a case number. If you were not prosecuted, write "No Process" on the line.
 - B. You must include Inventory Number for property seized.
 - C. Include name, address, and telephone number for yourself and attorney, if applicable.
2. Check the Petition for completeness.
3. You must serve the Petition on all applicable, interested parties (see below). You will not receive a court date until proof of service is filed.

If Milwaukee Police Department Has Your Property. Serve All of the Following:

- Property Control Section, 2620 W. Wisconsin Avenue, Milwaukee, WI 53233.
- City Attorney, Room #205, Police Administration Building, 951 N. James Lovell Street, Milwaukee, WI 53233.
- Intelligence/Fusion Center—Gun Desk, Room #204, Police Administration Building, 951 N. James Lovell Street, Milwaukee, WI 53233.
- District Attorney's Office, Room #405, Safety Building, 821 W. State Street, Milwaukee, WI 53233.

If Milwaukee County Sheriff's Department Has Your Property. Serve All of the Following:

- Sheriff's Department Property Section, Room #209, Safety Building, 821 W. State Street, Milwaukee, WI 53233.
- District Attorney's Office, Room #405, Safety Building, 821 W. State Street, Milwaukee, WI 53233.
- Corporation Counsel, Room #303, Courthouse, 901 N. 9th Street, Milwaukee, WI 53233.

If Another City/Municipality Has Your Property. Serve All of the Following: (West Allis, Greenfield, Franklin, Oak Creek, Wauwatosa, etc.)

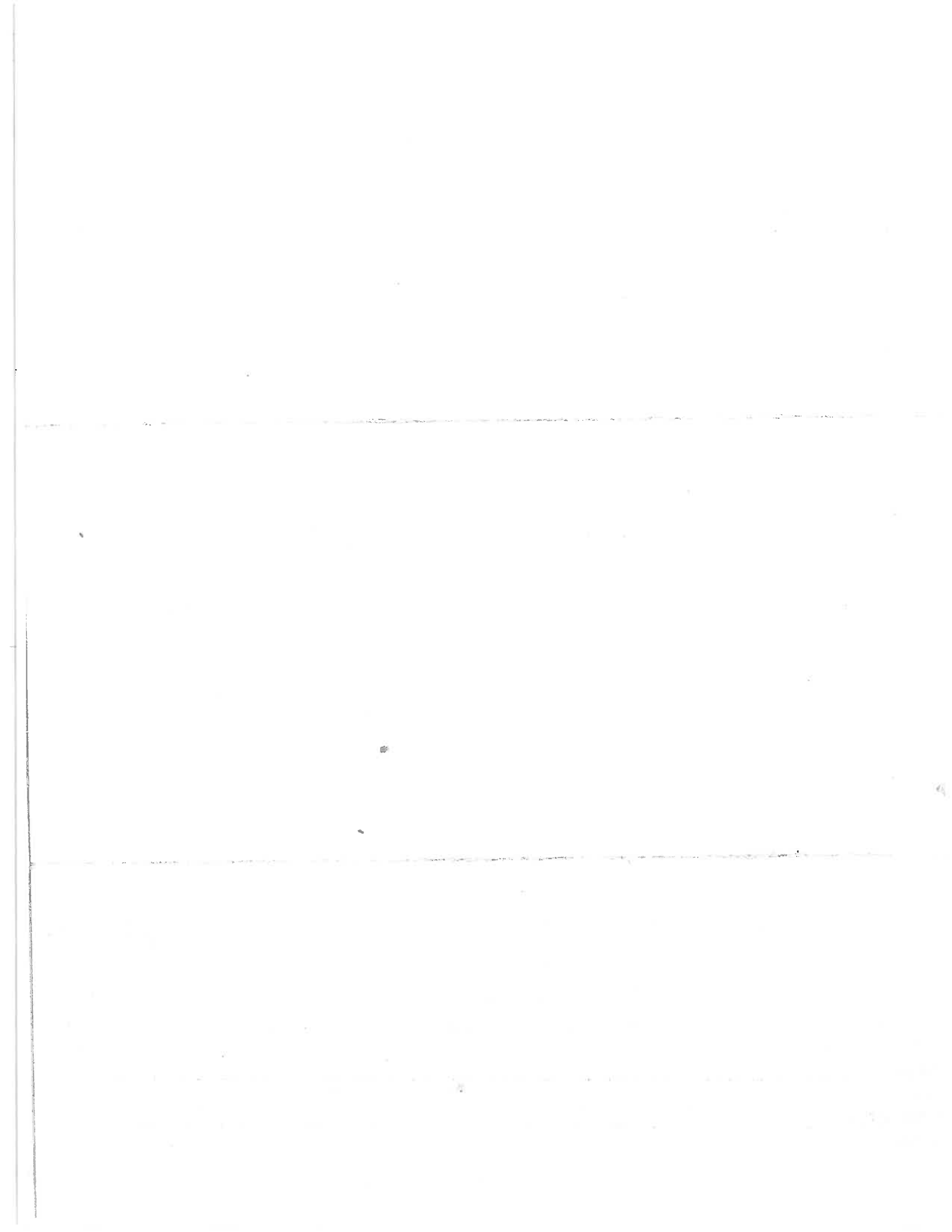
- City Attorney for that municipality. (If you do not know the name and/or location of the city attorney, please ask.)
- District Attorney's Office, Room #405, Safety Building, 821 W. State Street, Milwaukee, WI 53233.

IF ANYONE ELSE HAS AN OWNERSHIP INTEREST IN THE PROPERTY, YOU MUST SERVE THEM AS WELL AND PROVIDE PROOF OF SERVICE.

4. Submit the original petition (showing proof of service for each applicable party). You may bring it in or mail it to:

PETITIONS FOR RETURNS OF PROPERTY
Clerk of Circuit Court, Criminal Division
Safety Building, Room 117
821 W. State Street
Milwaukee, WI 53233

5. Notices of the hearing will be sent to all parties to appear on a certain date before a judge to determine if the property may be released to the petitioner.



CRIME VICTIM RESOURCES

CONTACT INFORMATION

Arrest, custody, or release information:

Adult Offenders

If an **ADULT** has been arrested in this case you may contact the Milwaukee County Criminal Justice Facility, 949 N. 9th Street, Milwaukee, WI 53233, Inmate Information (414) 226-7070, or on the internet at:

<http://www.inmatesearch.mksheriff.org> to determine if that **ADULT** is in custody.

Juvenile Offenders

If a **JUVENILE** is arrested, contact: Vel Phillips Juvenile Justice Center, Juvenile Detention, 10201 W. Watertown Plank Road, Wauwatosa, WI 53226, (414) 257-7715 to determine if that **JUVENILE** is in custody. Please allow time for transport. If the **JUVENILE** is held and the case is prosecuted you will be contacted by the Victim Witness Unit regarding your rights.

To request notice of legal proceedings and information about victims' rights or to speak with the prosecutor of the case:

Adult Offenders

If an **ADULT** is arrested and the case is referred to the District Attorney's Office for prosecution you will be contacted by the Victim Witness Unit regarding your rights. You may contact the District Attorney's Office at: Milwaukee County District Attorney's Office, 821 W. State Street Room 615, Milwaukee, WI 53233, Victim Witness Services (414) 278-4667.

Juvenile Offenders

If a **JUVENILE** is arrested, but not taken to the Detention Center, the police will be forwarding the reports to the Juvenile Intake Unit. Please note that these reports will be forwarded within **two weeks**. If you wish to exercise your rights to communicate with the Intake Worker please contact: Vel Phillips Juvenile Justice Center, 10201 W. Watertown Plank Road, Wauwatosa, WI 53226, (414) 257-7719.

MILWAUKEE POLICE DEPARTMENT

Contact Officer: P.O. Stenard
 Incident Number: 17-316-0152 Incident Date: 11/12/17
 District/Division: 6 Shift Hours: 4pm-12am
 Phone Number: 935-7262

The Contact Officer is your primary source for general information regarding the investigation as well as arrests and the status of property in police custody.

Wisconsin law provides victims of crime with specific rights.

The Wisconsin Constitution (Article I, Section 9m) and Wis. Stat. § 950 give special rights to victims of crime. Some rights are automatic while others must be requested. The rights are listed on the reverse side of this form.

Please note that it is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with about the case and to make your interests known.

Important Reminders for Victims of Crime

- The Wisconsin Department of Justice Victim Resource Center can provide you with information about victims' rights as well as victim services in your area. Call 1-800-446-6564 or access a directory online www.doj.state.wi.us/ocvs.
- If you are threatened or intimidated by anyone because of your cooperation with law enforcement and prosecution in connection with this crime, you should report that to the Milwaukee Police Department at (414) 933-4444. If you feel you are in immediate danger, call 9-1-1.
- It is very important that you keep agencies informed of any changes to your address, phone number, or email.
- You may be eligible to receive reimbursement for certain expenses related to the crime. It may be helpful to you to keep records of the crime-related expenses such as lost wages, repairs or medical bills because you may be required to provide this information to support your claim. Restitution may be ordered if someone is convicted of the crime against you, or you may be eligible for crime victim compensation even if no one is arrested or convicted. For more information contact the Wisconsin Department of Justice at 1-800-446-6564 or P.O. Box 7951, Madison, WI 53707-7951 or online at: www.doj.state.wi.us/ocvs.
- WI-VINE services allow you to register for notification about changes in custody status for offenders who are in a county jail. Find more information at www.vinelink.com or call 1-888-944-8463.

Crime Victims' Rights in Wisconsin

* An asterisk (*) marks those rights which a victim must specifically request.

VICTIMS' RIGHTS THAT MIGHT APPLY ANY TIME:

- To be treated with fairness, dignity and respect for his or her privacy.
- To reasonable protection from the accused throughout the criminal justice process.
- To receive written information from law enforcement, within 24 hours of contact about rights, who to call for custody information regarding the offender and how to get more information about the case.
- To not have personal identifiers including email disclosed/used for a purpose unrelated to the official duties of an agency, employee or official.
- To contact the Department of Justice concerning a victim's treatment (1-800-446-6564) and to seek a review of a complaint by the Crime Victims Rights Board, as provided by law.
- To notice of a decision not to prosecute, if an arrest has been made.
- If a victim of an officer involved death, to receive information about the process by which he or she may do the following: file a complaint charging a person with a crime, if permitted by a judge, file a complaint under the John Doe investigation proceedings, and the process of an inquest.
- To a speedy disposition of the case.
- To not be compelled to submit to a pretrial interview or deposition by a defendant or his or her attorney.
- To information about the disposition of the case.*
- To attend court proceedings and to be accompanied by a service representative, as permitted by law.
- To not be the subject of an officer's or district attorney's order, request, or suggestion that the victim submit to a test using a lie detector if the victim reports having been the victim of a sexual assault.
- To the expeditious return of property when it is no longer needed as evidence.
- To file for Crime Victims Compensation, as provided by law.
- To request an order for an offender to submit to a test for sexually transmitted diseases, communicable disease, or HIV test (for certain offenses).
- To notice of a decision to close or dismiss a case or defer prosecution, if the offender is a juvenile.

VICTIMS' RIGHTS THAT APPLY AFTER AN OFFENDER HAS BEEN CHARGED:

- To receive written information from the district attorney regarding the victim's rights and how to exercise them.
- Upon request, the opportunity to communicate with the prosecutor (or intake worker) about the possible outcome of the case, potential plea agreements and sentencing options.*
- To be notified of the time, date and place of court proceedings, if requested.*
- To be provided a waiting area separate from defense witnesses.
- To have the victim's interests considered when the court is deciding whether to grant a continuance or deciding whether to exclude persons from a preliminary hearing.
- To be contacted about the right to make a statement at disposition or sentencing.
- To assistance with an employer about the need to attend court appearances.
- To be notified if charges are dismissed.

VICTIMS' RIGHTS RELATED TO THE SENTENCING OF THE OFFENDER BY THE COURT:

- To provide a statement to the court, in person or in writing, about the economic, physical and psychological effects of the crime and to have that information considered by the court.
- To be contacted by the person preparing the pre-sentence report (or court report, if the offender is a juvenile) to have the impact on the victim included in the report.
- To restitution from a juvenile offender, as permitted by law.
- To recompense from forfeited bail, as determined by the court.
- To view certain portions of a pre-sentence investigation report.
- To restitution from an adult offender for any crime considered at sentencing.

VICTIMS' RIGHTS THAT APPLY AFTER SENTENCING:

- To be provided sentencing or dispositional information.*
- To attend parole interviews or hearings and make statements.
- To be notified of a conditional release.
- To be provided with notice of a petition for a sentence adjustment or reduction and applications for early release.
- To be notified by the Department of Corrections of certain releases, escapes, confinements, leave, release to extended supervision and participation in the intensive sanctions program. If you have questions about receiving notices from the Department of Corrections, call 1-800-947-5777.
- To attend a hearing on a petition for a modification of a sentence and to provide a statement.*
- To notification from the Department of Health Services concerning discharge, home visits and supervised release of certain offenders.
- To be notified of applications for parole or release to extended supervision, to provide statements concerning parole.
- To have the clerk of court send a copy of an inmate's petition for extended supervision and notice of the hearing on that petition; a copy of a motion for post-conviction DNA testing and notice of any related hearing.*
- To be notified by the governor of a pardon application and to make a written statement about that application.
- To a civil judgment for unpaid restitution.
- To be notified when an offender's release to parole or extended supervision is revoked for violating a condition of release.

Please note: It is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with regarding the case.

**FIREARMS DEALER NOTIFICATION
 (HANDGUN TRANSFERS)**

PLEASE USE INK - General Information and instructions on reverse side.

Dealer Identification Number (DIN) **41-388**

SECTION 1

TRANSFEEE (Buyer)

1. Transferee (Buyer's) Legal Name (Last, First, MI) 1611010 Andles				2. Other Name(s) used now or at any time in the past (e.g., maiden/alias)						
3. Sex M	4. Race H	5. Date of Birth (mm/dd/yyyy)	6. Place of Birth Milwaukee WI	7. Country of Citizenship United States	8. Height 5'07"	9. Weight 150	10. Hair Black	11. Eyes Brown		
12. Residence Address 1742 S. 3RD St.				13. City Milwaukee	14. State WI	15. Zip 53204				

16. Transferee (Buyer) Certification - Buyer must answer each question with a "YES" or a "NO" in the box at the right of the question.

a) Are you the actual purchaser of the firearm? You are the actual purchaser if you are not purchasing the firearm at the request of, or on behalf of, any other person or are not purchasing the firearm with the purpose or intent of reselling the firearm to any other person.	Yes
b) Have you ever been convicted of a felony in this state or a crime elsewhere that would be a felony if committed in Wisconsin? (A felony is any crime for which you could have been imprisoned for more than one year even if you were not imprisoned or served less than one year.)	NO
c) Have you ever been found not guilty of a felony in Wisconsin by reason of mental disease or defect?	NO
d) Have you ever been found not guilty of or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity or mental disease, defect or illness?	NO
e) Are you subject to a court order under Wisconsin Chapters 51, 54 or 55 (relating to involuntary commitments, commitments for alcoholism, guardianships and protective placements) prohibiting you from possessing a firearm?	NO
f) Have you ever been adjudicated delinquent as a juvenile for an act committed on or after April 21, 1994, that if committed by an adult in Wisconsin would be a felony and have not been exempted from the firearm prohibition by order of a court pursuant to s. 941.29(8)?	NO
g) Are you subject to a court order under the harassment injunction law (sec. 813.125) prohibiting you from possessing a firearm?	NO
h) Are you subject to a domestic abuse injunction or domestic abuse tribal injunction (sec. 813.12) or a child abuse injunction (sec. 813.122)? [Note: This question applies to proceedings, which were commenced on or after April 1, 1996.]	NO

If question 16 (a) cannot be truthfully answered "YES", and questions 16 (b)-(h) cannot be truthfully answered "NO", the dealer may not transfer the firearm. A dealer may not transfer firearms to persons convicted of felonies, or crimes elsewhere that would be a felony if committed in Wisconsin, unless the buyer has received a pardon for the crime or felony, which does not expressly deny the right to possess a firearm or has obtained relief from disabilities under 18 USC 925(c). If that is the case, the buyer must provide positive proof prior to obtaining the firearm.

17. I certify under and in accordance with s. 175.35(2e) of the WI Statutes that all statements on this form are true. I understand that if I knowingly make a false statement, I am subject to penalties of up to a \$10,000 fine and up to 9 months imprisonment under s. 175.35(3) of the WI Statutes. **WARNING: TRANSFER TO MINORS, FELONS AND PROHIBITED PERSONS.** It is illegal for anyone to provide or assist in providing any firearm to a minor, except under certain conditions as set forth in the Wisconsin statutes, and under any circumstances to provide or assist in providing any firearm to a convicted felon or any other person prohibited by law from possessing a firearm under s. 941.29. Criminal prosecution may result in imprisonment for up to 5 years and a \$10,000 fine.

Buyer's Signature & Telephone Number
[Signature] (414) 465-9240 Date 04/18/14

SECTION 2

FIREARMS DEALER (Seller)

18. Type of Photo Identification Driver's License # [Redacted] Wisconsin Identification Card # [Redacted] Other (Please Specify) _____	19. Firearms Dealer Business Name and Address Shoutup Shootin' Sports 2102 S. 60th St West Allis WI 53219
20. Dealer Clerk's Signature <i>[Signature]</i> Date 04/18/14	

PLEASE CALL THE HANDGUN HOTLINE (1-800-262-4867) AND RECORD THE FOLLOWING INFORMATION

21. Name of Caller [Signature]	22. Date 04/18/14	23. Time of Call AM 3:18 PM	24. Hotline Operator Number 220
25. Call Confirmation Number 30140471876	26. Transfer Approval Number 72685	27. Nonapproval Number	

DO NOT TRANSFER FIREARM UNTIL A TRANSFER APPROVAL NUMBER IS RECEIVED AND RECORD THE FOLLOWING INFORMATION

28. Date of Transfer 4-21-14	29. Time of Transfer AM 3:00 PM	30. Transferred by [Signature]	Recheck Date / Operator #
--	---	--	---------------------------

GENERAL INFORMATION

- 1) Dealer and buyers must conform to federal requirements in addition to completion of this form.
- 2) Completion of this form is required in accordance with s. 175.35(2g) of the Wisconsin Statutes and with Chapter Jus. 10, Wisconsin Administrative Code. If the buyer cannot read or write, the form must be completed by a person other than the dealer after a careful consultation with the buyer. After the form is completed, the dealer shall question the buyer to ensure that the form is truthfully and fully completed. The buyer's mark shall be obtained in the "Buyer's Signature" block and be witnessed by the individual that helped to complete the form.
- 3) The Wisconsin Department of Justice (DOJ) must accomplish a mandatory firearms restrictions record search to ensure that a person may lawfully possess a handgun under s. 941.29 of the Wisconsin Statutes.

Section 941.29 prohibits possession of a firearm if a person has been:

- Convicted of a felony in Wisconsin
- Convicted of a crime elsewhere that would be a felony if committed in Wisconsin
- Found not guilty of a felony in Wisconsin by reason of mental disease or defect
- Found not guilty of or not responsible for a crime elsewhere that would be a felony in Wisconsin by reason of insanity or mental disease, defect or illness
- Adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult in Wisconsin would be a felony
- Committed for treatment under s. 51.20 (involuntary mental health commitment) or s. 51.45(13) (involuntary commitment for alcoholism), or have had a guardian appointed under s. 54.10 or are the subject of a protective placement under s. 55.12, and in any such case have been ordered not to possess a firearm.
- Subject to a court order under the harassment injunction law (sec. 813.125) prohibiting the possession of a firearm
- Subject to a domestic abuse injunction or domestic abuse tribal injunction (sec. 813.12) or a child abuse injunction (sec. 813.122) prohibiting the possession of a firearm [Note: This statement applies to proceedings which were commenced on or after April 1, 1996]

INSTRUCTIONS

SECTION 1 Transferee (Buyer's Section)

- 4) Complete blocks 1 through 17 by legibly printing the required information in ink.
- 5) Use M (Male) or F (Female). Height should be entered as feet and inches (e.g., 6'4"). Authorized abbreviations for the remaining categories are:

RACE		HAIR COLOR			EYE COLOR				
W	White	BRO	Brown	RED	Red	BLU	Blue	HAZ	Hazel
B	Black	BLK	Black	SDY	Sandy	BRO	Brown	PNK	Pink
I	American Indian or Alaskan Native	BLN	Blond	WH	White	GRY	Gray	XXX	Other
		GRY	Gray	XXX	Other	GRN	Green		

- 6) Give the form to the dealer.
- 7) Furnish reliable identification that includes a photograph. A motor vehicle operator's license or state issued identification card are examples of reliable identification.

SECTION 2 Firearms Dealer (Seller's Section)

- 8) Complete all required information in ink.
- 9) The Dealer Identification Number (DIN) block in upper right hand corner of the form **is mandatory**.
- 10) Check transferee's photo identification and complete block 18.
- 11) A stamp may be used for block 19.
- 12) Dealer Clerk's Signature and Date of block 20.
- 13) Call the Handgun Hotline (1-800-262-4867) and provide the hotline operator with the form number printed in red and your Dealer Identification Number (DIN), both located in the upper right hand corner of the form and the information concerning the buyer.
- 14) Complete blocks 21 through 25. (The 48 hour waiting period begins when the Call Confirmation Number is issued.)
- 15) When the felony check is completed, record the Transfer Approval Number in block 26 or Nonapproval Number in block 27.
- 16) If a Nonapproval Number is issued, provide the buyer with his or her copy of the form and mail the "CIB" copy to the address provided below **within 24 hours**.
- 17) If a Transfer Approval Number is issued, complete blocks 28 through 30 at the time of the firearm transfer, provide the buyer with his or her copy of the form and mail the "CIB" copy to the address below **within 24 hours after transfer of the firearm**.

**Crime Information Bureau
Attn: Handgun Hotline
Post Office Box 2718
Madison, Wisconsin 53701-2718**

Failure to request a firearms restrictions record search prior to a transfer of a handgun, failure to provide truthful and accurate information to CIB, failure to maintain the original records regarding the transfer, and failure to provide CIB with a copy of the form within 24 hours of a denial or a transfer are violations of s. 175.35 (2), (2j), and (3) and may result in a fine of \$10,000 and 9 months in jail.